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It may be conceded that the researches of such men as Messrs. Corwin, McLaughlin, Beard, Melwin and Haynes have proved that the American doctrine of judicial review is an evolutionary development, yet it must be answered that it is none the less an anomaly, and now in this period of reform has become a bar to social progress. The courts have made themselves the repository of public policy and legislative discretion. They change laws and constitutions. A superstitious popular reverence has driven them to this improper assumption of power. An enlightened public opinion must drive them back to the exercise of their legitimate functions.

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CRAMB, J. A. *Germany and England*. Preface to an American Edition by Moreby Acklom. Pp. x, 152. Price, \$1.00. New York: E. P. Dutton and Company, 1914.

The introduction given this little volume by the late Lord Roberts in England and by Mr. Joseph H. Choate in America, and the assertions that the questions discussed should have an important bearing on the future foreign policy of the United States add an interest to the book that it would not otherwise merit. The four lectures that it contains were published very early in the present European war with the object of establishing the thesis that the war is not only a supreme but a necessary conflict between two powers, Germany and England, for dominance over the rest of the world. The neutral powers, in the opinions set forth, carry even less weight in world affairs than the present allies of Great Britain and Germany. To question the sanity of a struggle for world empire at this late day in history, and the value of such a thing even if attained by either power, does not seem to have come within the author's view any more than that the other nations of the globe might have a word to say on the subject. With his premise assumed, it is easy enough in the way of the schoolmen, for the author to draw his conclusions.

The lectures chiefly demonstrate the late Professor Cramb's acquaintance, unusual in its scope and interesting for an Englishman's, with a phase of the literature and thought of modern Germany; but they are in no sense convincing as establishing the ultimate and true causes of the war, nor even in proving (unless mere assertion be proof) that Nietzsche, Treitschke, and Bernhardt, that much-heralded trinity, are the dominating or moving spiritual forces behind the thoughts and actions of the German General Staff. Though this book, like Usher's republished *Pan Germanism*, won a ready and deserved sale as a remarkable prophecy of the coming struggle, it was a prophecy as unheeded when it was made as the warnings of Lord Salisbury in 1900 and of Lord Roberts after the Boer War. If the late great field-marshal's own estimate that "nowhere else are the forces which led to the war so clearly set forth" as in this "Reply to Bernhardt," and to the school of thought which von Treitschke, Delbruck, Schmoller and Maurenbrecher are supposed to represent, if this estimate, I repeat, be a true one, if the notes of warning by Mr. Choate and Mr. Acklom for American ears be not misdirected, and if the views expressed of Germany's mind and England's be correct, it is the

saddest and most depressing book amongst the mass of so-called literature that the war has brought forth.

Condemning Treitschke's doctrine of "force" and "Prussian Militarism," the author proceeds to scorn the "cry" of the Pacifists; of "Christ," "Tolstoi," and "Alberdi," etc., "this hubbub of talk," as he calls it, "down all the centuries" to the time of Sir Edward Grey, and "all the froth and loathsome sentiment and empty vapping around President Taft's Message." Yet he offers no substitute but English militarism, more dreadnaughts, more aircraft, more war preparations, etc., etc. He not only preaches war as a necessity, a thing "not only beyond man's power, but contrary to man's will," but he glorifies the scourge of nations as a thing inspiring and heroic in itself. He bows down to an idol of Greek conception,

"Heroes in battle with Heroes
And above them the wrathful gods,"

imagining that wornout deity of Teutonic kindred looking "serenely down" from the clouds "upon his favorite children, the English and the Germans locked in a death struggle, smiling upon the heroism of that struggle, the heroism of the children of Odin the war god."

This is an illuminating reply to Bernhardi and militarism.

Were it not for the Kaiser's and von Hindenberg's bombastic speeches to the German troops, which the charitable might perhaps ascribe to military "necessity," and were it not for a struggle that has surprised as much as it has shocked the world, whether it be for world empire or not, one might say this English conception is a nightmare due to England's exasperated celebration on the subject of her great rival's economic and political advance in world affairs. Might it not have been wiser for the lecturer and author, and for those formulating government policy, to have laid less stress on the *talkers* of modern Germany and to have refreshed English memory as to the *doers* of Prussia; Frederick William, the great elector, and his generosity to the exiled French; King Frederick III, and his services to learning; Frederick the Great, and his contributions toward the beyond-the-sea power of this same England that abandoned him when her empire was securely wrested from the French; Stein, Hardenberg, Fichte, and others of the days when England and Germany made common cause against the imperial ideas of Napoleon? So perhaps, if even for a moment, might men's minds have turned to Prussian accomplishments more beneficial to humanity than those of militarism, and thought have been directed to a policy of *natural* friendship and alliance rather than to a program of enmity and a war of fear.

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CROLY, HERBERT. *Progressive Democracy*. Pp. 436. Price, \$2.00. New York: The Macmillan Company, 1914.

Reform movements are seldom accompanied by well-advised social or political philosophy. They are usually uncritical. Mr. Croly's book outlines what he conceives to be the historical origin and the social justification of the radical